

DEB/CAE/kmb  
03/26/01

PATENT APPLICATION  
DOCKET NO.: 1818.1010-000  
(Formerly DUK96-03pA)

#34  
SB.  
4-5-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler  
Application No.: 08/616,371 Group Art Unit: 1627  
Filed: March 15, 1996 Examiner: B. Celsa  
Title: Methods for Producing and Using S-Nitrosohemoglobins

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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application file wrapper.  
(Filed after payment of issue fee)

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Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references AH and AX3 are enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

## Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ the enclosed English language abstract.

- ☒ Applicant requests that the following ~~pending~~ applications be considered:

Examiner's  
Initials

\_\_\_\_\_ U.S. Patent Application No. 07/943,835, filed September 14, 1992

\_\_\_\_\_ U.S. Patent Application No. 08/338,893, filed November 14, 1994

\_\_\_\_\_ U.S. Patent Application No. 08/409,720, filed March 24, 1995

\_\_\_\_\_ U.S. Patent Application No. 09/092,622, filed June 5, 1998

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

In addition, Applicant has carried out a search of the Derwent World Patent Index for patent applications filed with Jonathan S. Stamler named as an inventor. A copy of the results of this search are included as reference AX3. It is not known by Applicant which U.S. Patent Applications listed as priority applications are pending.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ [X] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ [ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- ☒ [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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Dated: *March 27, 2001*

PTO-1449 REPRODUCED				ATTORNEY DOCKET NO. 1818.1010-000		APPLICATION NO. 08/616,371	
SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION  March 27, 2001  (Use several sheets if necessary)				APPLICANT Jonathan S. Stamler			
				FILING DATE March 15, 1996		GROUP 1627	
U.S. PATENT DOCUMENTS							
EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AH	6,087,479	11 Jul 2000	Stamler et al.	530	363	2 Jun 1995
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES      NO
	AL						
	AM						
	AN						
	AO						
	AP						
	AQ						
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AX3	Search results from Derwent Word Patent Index: Stamler patent applications as of 12 March 2001 (26 pages)					
EXAMINER				DATE CONSIDERED			